

10/506323

10 Rec'd PCP/PTO 29 OCT 2004

Attorney Docket No. 0446-0170PUS1



**PLEASE NOTE:  
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BIRCH, STEWART, KOLASCH & BIRCH, LLP

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**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: Solid oxide fuel cell

### **Fill in Appropriate**

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the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

**Information -  
For Use Without  
Specification  
Attached:**

The specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable) and/or  
the specification was filed on 3 March 2003 as PCT  
International Application Number PCT/AU03/00264 and was  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Insert Priority  
Information:  
(if appropriate)**

<u>PS0875/02</u>	<u>Australia</u>	<u>4 March 2002</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)		
<u>                  </u>	<u>                  </u>	<u>                  </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
<u>                  </u>	<u>                  </u>	<u>                  </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
<u>                  </u>	<u>                  </u>	<u>                  </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
<u>                  </u>	<u>                  </u>	<u>                  </u>	<input type="checkbox"/>	<input type="checkbox"/>

**Insert Provisional  
Application(s):  
(if any)**

(Application Number) \_\_\_\_\_ (Filing Date) \_\_\_\_\_  
(Application Number) \_\_\_\_\_ (Filing Date) \_\_\_\_\_

**Insert Requested  
Information:  
(if appropriate)**

<b>Country</b>	<b>Application Number</b>	<b>Date of Filing (Month/Day/Year)</b>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

**Insert Prior U.S.  
Application(s):  
(if any)**

PCT/AU03/00264 3 March 2003  
(Application Number) (Filing Date) (Status - patented, pending, abandoned)  
  
(Application Number) (Filing Date) (Status - patented, pending, abandoned)

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I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

CUSTOMER NO. 02292 (BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP)

Telephone: (703) 205-8000

Facsimile: (703) 205-8050

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor, if any: see above	GIVEN NAME/FAMILY NAME <u>Khalil AHMED</u>	INVENTOR'S SIGNATURE 	DATE* <u>October 12, 2004</u>
Insert Residence Insert Citizenship	Residence (City, State & Country) <u>Rowville, Victoria, Australia</u>		CITIZENSHIP <u>Australia</u>
Insert Post Office Address	MAILING ADDRESS (Complete Street Address including City, State & Country) <u>27 Fairway Drive, Rowville, Victoria 3178, Australia</u>		
Full Name of Second Inventor, if any: see above	GIVEN NAME/FAMILY NAME <u>Dean Andrew GOBLE</u>	INVENTOR'S SIGNATURE 	DATE* <u>October 8, 2004</u>
	Residence (City, State & Country) <u>Chadstone, Victoria, Australia</u>		CITIZENSHIP <u>Australia</u>
	MAILING ADDRESS (Complete Street Address including City, State & Country) <u>23 Kalymna Grove, Chadstone, Victoria 3148, Australia</u>		
Full Name of Third Inventor, if any: see above	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
	Residence (City, State & Country)	CITIZENSHIP	
	MAILING ADDRESS (Complete Street Address including City, State & Country)		
Full Name of Fourth Inventor, if any: see above	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
	Residence (City, State & Country)	CITIZENSHIP	
	MAILING ADDRESS (Complete Street Address including City, State & Country)		
Full Name of Fifth Inventor, if any: see above	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
	Residence (City, State & Country)	CITIZENSHIP	
	MAILING ADDRESS (Complete Street Address including City, State & Country)		
Full Name of Sixth Inventor, if any: see above	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
	Residence (City, State & Country)	CITIZENSHIP	
	MAILING ADDRESS (Complete Street Address including City, State & Country)		